

Providence City Planning Commission Agenda
Providence City Office Building, 15 South Main, Providence UT 84332
September 14, 2016 6:00 p.m.
Anyone interested is invited to attend.

Approval of the Minutes:

Item No. 1. The Providence City Planning Commission will consider for approval the minutes of August 24, 2016.

Action Items:

Item No. 1. Amended Plat - Lot Consolidation. The Providence City Planning Commission will consider for approval a proposed lot consolidation combining Lots 6 and 7 of the Grand View Hills Subdivision, located generally at 893 Foothill Dr; requested by Robert James.

Item No. 1. Preliminary Plat: The Providence City Planning Commission will consider for approval a preliminary plat for Sutherland Subdivision (a partial amendment of Everton Minor Subdivision, Subdividing Lot 1), a 4 lot residential subdivision located at approximately 810 South 300 East.

Study Items:

Item No. 1. Rezone Request: The Providence City Planning Commission will discuss a rezone request to change the zone of parcel no. 02-005-0005, a 77.5 acre parcel located in the northeast corner of the City at approximately 500 North 600 East, from Agricultural (AGR) to Single-Family Traditional (SFT).

Item No. 2. Code Amendment: The Providence City Planning Commission will discuss proposed code amendments to Providence City Code Title 10 Zoning Regulations Chapter 1 General Provisions Section 4 Definitions by adding a definition for an "Accessory Building (Small)" and Providence City Code Title 10 Zoning Regulations Chapter 8 Area Regulations and Parking Requirements Section 1 Area Regulations, Space Requirement Chart by adding setback and height requirements for "Detached Accessory Building (Small)".

Item No. 3. Discussion: The Providence City Planning Commission will discuss sections and/or elements of the General Plan and other items of concern, with the intent of establishing priorities and assigning a commission member as a facilitator for each item.

Reports:

Staff Reports: Any items presented by Providence City Staff will be presented as informational only.

Commission Reports: Items presented by the Commission Members will be presented as informational only; no formal action will be taken.

Agenda posted by Skarlet Bankhead on September 13, 2016.


Skarlet Bankhead
City Recorder

If you have a disability and/or need special assistance while attending the Providence City Planning Commission meeting, please call 435-752-9441 before 5:00 p.m. on the day of the meeting.

Pursuant to Utah Code 52-4-207 Electronic Meetings – Authorization – Requirements the following notice is hereby given:

- Providence City Ordinance Modification 016-2006, adopted 11/14/2006, allows Planning Commission Member(s) to attend by teleconference.
- The anchor location for this meeting is: Providence City Office Building, 15 South Main, Providence, UT.
- Member(s) may be connected to the electronic meeting by teleconference.

Providence City Council Members may be in attendance at this meeting; however, no Council action will be taken even if a Quorum exists.

1 **Providence City Planning Commission Meeting**
2 **15 South Main, Providence UT 84332**
3 **August 24, 2016 6:00 p.m.**

4
5 **Attendance**

6 Chairman: Robert James
7 Commissioners: Andrea Diamond, Wendy Simmons, John Parker, Mike Harbin
8 Excused: Rowan Cecil
9

10 Mayor Don Calderwood
11 Council Member, John Drew
12 Skarlet Bankhead, Administrative Services Director
13

14 **Robert James called the meeting to order at 6:00 PM.**

15
16 **Approval of the Minutes:**

17 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of August 10, 2016.

18 **Corrections**

19 pg 1, line 5, change evolved to revolved.
20 pg 3, line 39 change comment J Parker to Robert James.
21 Pg 3, lines 48 to 49 revisions per request submitted by Sharell Eames.
22

23 **Motion made to approve the minutes of August 10, 2016 - W Simmons, second- J Parker.**

24 **Vote: Yea: M Harbin, J Parker, W Simmons**
25 **Nay: None**
26 **Abstained: Andrea Diamond**
27 **Excused: R Cecil**
28

29 **Public Hearing(s):**

30 **Item No. 1. General Plan Amendment:** The purpose of the public hearing is to provide an opportunity for anyone
31 interested to comment on the proposed amendment to the Moderate Income Housing element of the Providence
32 City General Plan before action is taken. The Planning Commission invites you to attend the hearing in order to
33 offer your comments.

- 34 • No comments were made.
- 35 • Public hearing closed.

36 **Action Items:**

37 **Item No. 1. General Plan Amendment:** The Providence City Planning Commission will consider for
38 recommendation to the City Council an amendment to the Providence City Moderate Income Housing element of
39 the General Plan with the intent of amending the plan to reflect the current and future needs of the city. In
40 drafting the moderate income housing element, the planning commission will consider the Legislature's
41 determination that cities facilitate a reasonable opportunity for a variety of housing, including moderate income
42 housing to meet the needs of people desiring to live there; and to allow persons with moderate incomes to benefit
43 from and fully participate in all aspects of neighborhood and community life.
44

45 **Motion made to recommend to City Council an amendment to the Providence City Moderate Income Housing**
46 **element of the General Plan -John Parker, second – M Harbin.**

47 **Vote: Yea: Andrea Diamond, M Harbin, J Parker, W Simmons**
48 **Nay: None**
49 **Abstained: None**
50 **Excused: R Cecil**
51

52 **Item No. 2. Exception to the requirements of Title 11 Subdivision Regulations Chapter 4 Design Standards**

53 **Section 1 Standards and Specifications:** The Providence City Planning Commission will consider for
54 recommendation to the City Council an Exception to the requirements of Providence City Code 11-4-1 by varying

1 the typical street cross-section in the proposed Providence Estates Subdivision. The Developer is requesting the
2 asphalt width be reduced from 39-feet to 37-feet and that the sidewalk width be increased from 5-feet to 6-feet.

3 **Public Comments**

- 4 • Todd Hendricks, Providence, UT: I think what this developer is trying to do is great. I intend to be a future
5 owner of one of the lots and I spoke with several others. I know several others emailed in on this topic and
6 I believe you received those emails. I believe we are all in agreement. All the ones that I spoke to and that
7 I am aware of and believe and maybe Matt will speak to this too but two of the majority investment
8 holders of the development will be living there and they would like this as well. I believe they are doing
9 this for the better and not just out of the goodness of their heart but because they will live there with
10 their families as well. Widening the sidewalk is more costly than reducing the asphalt. In other words two
11 feet of asphalt costs a fair amount less than two feet of concrete. You can usually tell if a developer has
12 their heart in the right place if it is costing them money and in this case it is. Two of the developers will
13 be living there and as I said I spoke with others. My thought is a wider sidewalk really promotes healthy
14 living. You can walk two strollers side by side. It makes it more convenient. It looks nice to have a wider
15 walking area and in this particular case increasing the asphalt by two feet really has no impact. This road is
16 so wide, 44 feet wide, that reducing it by two feet to 42 feet is still going to keep it over 95% of all the
17 roads in Providence. To put it squarely in perspective for each of you, I went to each of you on the map
18 and measured the roads on your house. Mr. Harbin, your street from curb to curb is 34 feet. Mr. Parker,
19 yours is 27 feet. Ms. Simmons, yours is 35 feet wide. Mr. James, yours is very narrow but you do not have
20 a curb or gutter and yours is 23 feet wide. Ms. Diamond, your road is 34 feet. This road would be
21 significantly wider than any of the roads you live on even with the two foot reduction and I wanted to put
22 this into perspective for you. I don't think it will have any significant effect. If anything, in my opinion a
23 wider road promotes speeding and if we leave all this room for parking, so now kids are speeding up and
24 down the road if anything people will slow down. Esthetically if this sets this neighborhood apart as a nice
25 place where people want to live since we do not have a lot of green space or walking trails, this would be
26 a great way to set this neighborhood apart in a nice way. There is no additional burden to the city. It
27 removes two feet off the road. One aspect the city pointed out is a wider sidewalk promotes a friendly
28 environment for walking and jogging can be said throughout the city and not this particular area. Great, I
29 agree. It would be wonderful. Anyone who wants to do this in the city I think it would be great. As far as a
30 variance versus an ordinance change I would state in this case that I would say we should use a variance
31 change. I do not necessarily think we need an ordinance change for someone to retroactively come back
32 and act as if this is a big exception. If other developers want to spend more money and have a little wider
33 sidewalk, I am sure they would be all right with a variance as well. If you are all in favor, I would love your
34 vote. I spoke to several other future owners and the builder will contribute his views as well. Do any of
35 you have any question?
- 36 • J Parker commented that because his road is 27 feet and so narrow, no parking on either side of that road
37 allowed due to concerns over emergency vehicles being able to get in. He also noted that it is a dead end
38 street.
- 39 • S Bankhead explained that an exception must have specific circumstances or reasons that would qualify it
40 as an exception. Narrow sidewalks can be found anywhere in Providence. There is nothing that creates a
41 unique circumstance with this particular location. A variance according to state code cannot be something
42 that is man-made. It has to do with the physical layout of the area like a hazard slope that impacts a
43 certain piece of property creating a unique situation. The request for an exception in this case is more a
44 matter of preference and although it may be of good intent, it does not qualify for an exception or
45 variance. There is a purpose behind 39 feet of asphalt. That 39 feet gives you 24 feet for two-way traffic,
46 two 12 foot travel paths and then it gives you an additional seven and one-half feet on the side of that
47 when combined with an 18 inches of span in the gutter to allow for water flow. This gives you nine feet
48 which is the width of a standard parking stall. This standard width is pretty tight for larger especially if
49 they have mirrors that extend. Most of the complaints we receive about cars parking on the street are
50 those parked on the more narrow roads because it is a parking hazard. An additional concern identified
51 by the Executive Staff in regard to six foot sidewalks is that it may attract the Razor folks.
- 52 • Mayor Calderwood asked Skarlet if there is anything in the city code that would prevent future lot
53 owners from giving up a foot of their property and having a six foot sidewalks?

- S Bankhead replied that because the sidewalk width is not a standard width as identified in the ordinance, it would need to be approved and that would be a little different process.
- Matt Henson, Developer, Midville, UT: I am here representing Sierra Homes at the request of the homeowners who expressed their desire for wide sidewalks and wider roads. We evaluated various options to see how we could accommodate this and taking the right of way down from 66 feet to 64 feet was the way they wanted to go so we decided to talk to the city. There will be an HOA to regulate any issues that may arise. A six foot sidewalk is large but it would be nice. We do understand why there are standards for parking and travel way. It is a bit arbitrary though and this is just for one subdivision. We do look forward to working with you.
- M Harbin commented that the argument about 1000 South 400 East was that the streets were too narrow in that subdivision. Now we are one block over and they want to make that narrow.
- R James commented that before the discussion goes further, one of the first consideration to be made is are we following our city code. If we do not want to follow the current city code, we need to change our city code. In reference to 11-2-7 of the code states "What conditions exists that compliance to the code is not necessary?" When approving a request for an exception to the title, the city council shall specifically identify conditions that exist that support a determination that a complete compliance is unnecessary to serve the public interest and the global objectives of the code and the general plan. This is at the heart of the matter. I agree with our executive staff when they ask, "Does the request for six foot sidewalks qualify as an exception according to the city code requirements for an exception?" We are not doing the City Council or the general public a favor by ignoring the code. It does not mean we cannot change code standards if we think this is a good idea. As a reminder, this is an action item so we do need to decide on whether to make a recommendation to City Council. I would like to pull away on study of possibly changing the ordinances and how that would be complete and focus on whether or not we should make a recommendation to City Council on an exception.
- S Bankhead commented that a compelling argument would need to be made in order to warrant an exception.
- J Drew commented that this is correct and agreed with the need remain consistent so we able justify and defend our decisions. In general, it is difficult to get an exception because a unique circumstance needs to exist to warrant an exception. Safety issues and ease of traffic are solid reasons for having the asphalt 39 feet wide. In this situation it does seem that the simpler solution would be that the owner gives one foot off their property.
- R James commented that he was all for six foot sidewalks but cannot help but come back to Councilman Drew's point. Can you quantify a condition that exists that supports recommendation or qualifies it as an exception?
- Tod Hendrickson responded that he would identify this as a safety issue and a need for continuity across roads coming into that area. Wide roads narrowing into smaller roads are a safety issue. There is no downside to two feet less here. I would support an ordinance change, but I do not know if the developer can wait that long. It would be nice to build some flexibility into the ordinances.
- R James commented that if the commissioners do not have any other questions, they can make a motion.

Motion made to recommend to the City Council they deny an Exception to the requirements of Providence City Code 11-4-1 by varying the typical street cross-section in the proposed Providence Estates Subdivision. -A Diamond, second – J Parker

Vote: **Yea:** **Andrea Diamond, M Harbin, J Parker, W Simmons**
 Nay: **None**
 Abstained: **None**
 Excused: **R Cecil**

Study Items:

Item No. 1. Rezone Request: The Providence City Planning Commission will discuss a rezone request to change the zone of parcel no. 02-005-0005, a 77.5 acre parcel located in the northeast corner of the City at approximately 500 North 600 East, from Agricultural (AGR) to Single-Family Traditional (SFT).

- S Bankhead commented that she apologizes but not all the information requested on city water usage has been gathered yet. The information on one acre lots has been completed and they are working on the other lots sizes. It was more difficult to gather the information than expected. The market study information is also still pending; the real estate broker has not replied back yet.
- J Parker asked how many shareholders were using the water in Spring Creek for irrigation purposes.
- S Ames response was that there were 911 shares in that area.
- Study session closed.

Item No. 2. Code Amendment: The Providence City Planning Commission will discuss proposed code amendments to Providence City Code Title 10 Zoning Regulations Chapter 1 General Provisions Section 4 Definitions by adding a definition for an "Accessory Building (Small)" and Providence City Code Title 10 Zoning Regulations Chapter 8 Area Regulations and Parking Requirements Section 1 Area Regulations, Space Requirement Chart by adding setback and height requirements for "Detached Accessory Building (Small)".

- R James asked Skarlet to please provide an overview and update on this.
- S Bankhead discuss the background history identifying that every year there are several requests from residents who want to put their shed closer to their property line. A shed or building less than 200 sq. ft. does not require a building permit unless water, plumbing or electricity is going to the building. Because these small buildings do not require a building permit it is assumed that no other zoning laws apply when in fact all accessory buildings need to be five feet away from the property line. This has been discussed with council members and staff. It has been suggested that we include that even though a building permit is not needed you do need to follow the setback rules. We also do not know how to define "permanent" structure or foundation. We do have many people who do not follow the code so enforcement is also an issue.
- R James commented that these are the tuff sheds or pre-fabricated sheds.
- S Bankhead identified various approaches to address the issue and mentioned that it could be addressed as an educational and enforcement issue or we could look at rewording the ordinances and make a recommendation to City Council then have a public hearing on it
- R James asked if this could be left as a study item for the next meeting. Since the subject of enforcement comes up regularly, would Skarlet please provide us with information about ways and methods the city uses to enforce our ordinances and I would like to see what the county recommends.

Item No. 3. Amended Plat - Lot Consolidation. The Providence City Planning Commission will discuss a proposed lot consolidation combining Lots 6 and 7 of the Grand View Hills Subdivision, located generally at 893 Foothill Dr.; requested by Robert James.

- R James commented on a proposal to combine the two adjacent lots that he and his wife own in order to build an attached garage to their home.
- S Bankhead further identified that an accessory building must be on the same lot. It cannot be a standalone on a separate property. People can combine the lots as a general rule without any problem. A review is needed because the property owner owns both lots in this case. Spring Creek Water has also looked at it and they have no problem. The executive staff also reviewed it and they do not see a problem. We can review it tonight and add it as an action item if you choose to do that.

Reports:

Staff Reports: Any items presented by Providence City Staff will be presented as informational only.

S Bankhead provided staff updates.

- J Drew added a list of training projects and opportunities that he would like to have considered.
- The city council is looking at changing an ordinance on water usage and we are having our engineer review it.
- Executive staff report is a consensus of the staff's opinions. These opinions are coming from the fire marshal, the irrigation company, public works staff, and the city engineer. The staff report is composed of the views of a team of people.
- The road on 400 South should be completed per contract by October 5.

Commission Reports: Items presented by the Commission Members will be presented as informational only; no formal action will be taken.

Motion to adjourn meeting : J Parker, second – M Harbin.

Vote:	Yea:	R James, Wendy Simmons, M Harbin, J Parker
	Nay:	None
	Abstained:	None
	Excused:	R Cecil

Meeting adjourned at 7:53 pm.

Minutes recorded and prepared by K Merrill.

Robert James, Chairman

Kristine Merrill, Office Specialist

PROVIDENCE CITY
Executive Staff Review

Request: Approval of an amended plat of Grand View Hills, Unit 1 Lot 6 and Lot 7; by combining the lots; located generally at 893 Foothill Dr.

Item Type: Amended Final Plat	Applicant: Robert James and Erinn MA James	Agent: NA
Prepared by: S Bankhead	General Plan: SFT	Zone: SFT
Parcel ID #(s): 03-076-0001, 03-076-0002	Address: 893 Foothill DR	Number of Properties: 2 Proposed Lots: 1

Background Information:

1. Robert James and Erinn MA James would like to eliminate Lot 6 and absorb it into Lot 7 of Grand View Hills, Unit 1
2. No public utility easements exists between the two Lots; no vacation of a PUE is required.

FINDINGS OF FACT:

1. UCA § 10-9a-608 lists the requirements for vacating, altering, or amending a subdivision plat.

CONCLUSIONS OF LAW:

1. Executive Staff feels the proposed amended final plat meets the requirements of UCA § 10-9a-608 with the following conditions:

CONDITIONS:

1. An amended final plan is prepared for signature and recorded at the office of the Cache County Recorder.

RECOMMENDATION:

The executive staff has reviewed the request; and recommends that the Planning Commission approve the amended final plat of Grand View Hills, Unit 1 Lot 6 and Lot 7 according to the Findings of Fact, Conditions of Law, and Conclusions listed above.

PROVIDENCE CITY LAND USE APPLICATION

15 South Main * Providence UT 84332

435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

Please note that each request has a checklist which specifies what information is required in order for your application to be complete and ready for processing. Please check the appropriate box for your type of application. Check only one box. Each application type requires a separate application. If you have questions, please ask.

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED.

Development Review Committee, and/or Planning Commission, and/or City Council

Annexation	Exception to Title	Rezone
Code Amendment	Final Plat	Right-of-way Vacation
Concept Plan	General Plan Amendment	Site Plan
Conditional Use	Preliminary Plat	
Appeal Authority		
Appeal		Variance

**PLEASE NOTE: FILING FEES DO NOT INCLUDE PROFESSIONAL FIRM FEES.
THESE WILL BE BILLED SEPARATELY.**

Applicant's Name:	Robert James & Erin MA James		
Address:	893 Foothill drive		
Phone(s):	435 994 1178	Fax:	—
	E-Mail: rjames@hycompusa.com		

Party Responsible for Payment:	Robert James		
Billing Address:	893 Foothill drive		
Phone(s):	435 994-1178	Fax:	
	E-Mail: rjames@hycompusa.com		

Property Owner's Name (how it appears on a legal document):	Robert & Erin MA James		
Address:	893 Foothill drive		
Phone(s):	435 994-1178	Fax:	
	E-Mail: rjames@hycompusa.com		

Architect/Engineer/Surveyor's Name:	Skyline AES		
Address:	95 W Golf Course Rd, Logan, UT 84321		
Phone(s):	752 - 8501	Fax:	752-8597
	E-Mail:		

Cache County Property Number(s):	03-076-0001 & 03-076-0002		
Total Acreage:	2	Project Name:	NA
City Address of Project (if applicable):	893 Foothill drive		

I declare under penalty of perjury that I am the owner or authorized agent for the property which is the subject of application, and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.

Signature of Applicant:  Date: 8/10/16

Do not complete below this line, for office use only.

Application Fee:
General Plan:
Zone:

Receipt Number:
Received By:
Date Stamp:

8 August 2016

Providence Planning & Zoning,

We, Robert and Erinn M A James, desire to combine our two lots (Tax ID 03-076-0002 & 03-076-0001) generally located at 893 Foothill Drive in Providence UT, into a single lot.



Robert James



Erinn M A James

PART E $\frac{1}{2}$ Section 14 Township 11 North Range 1 East

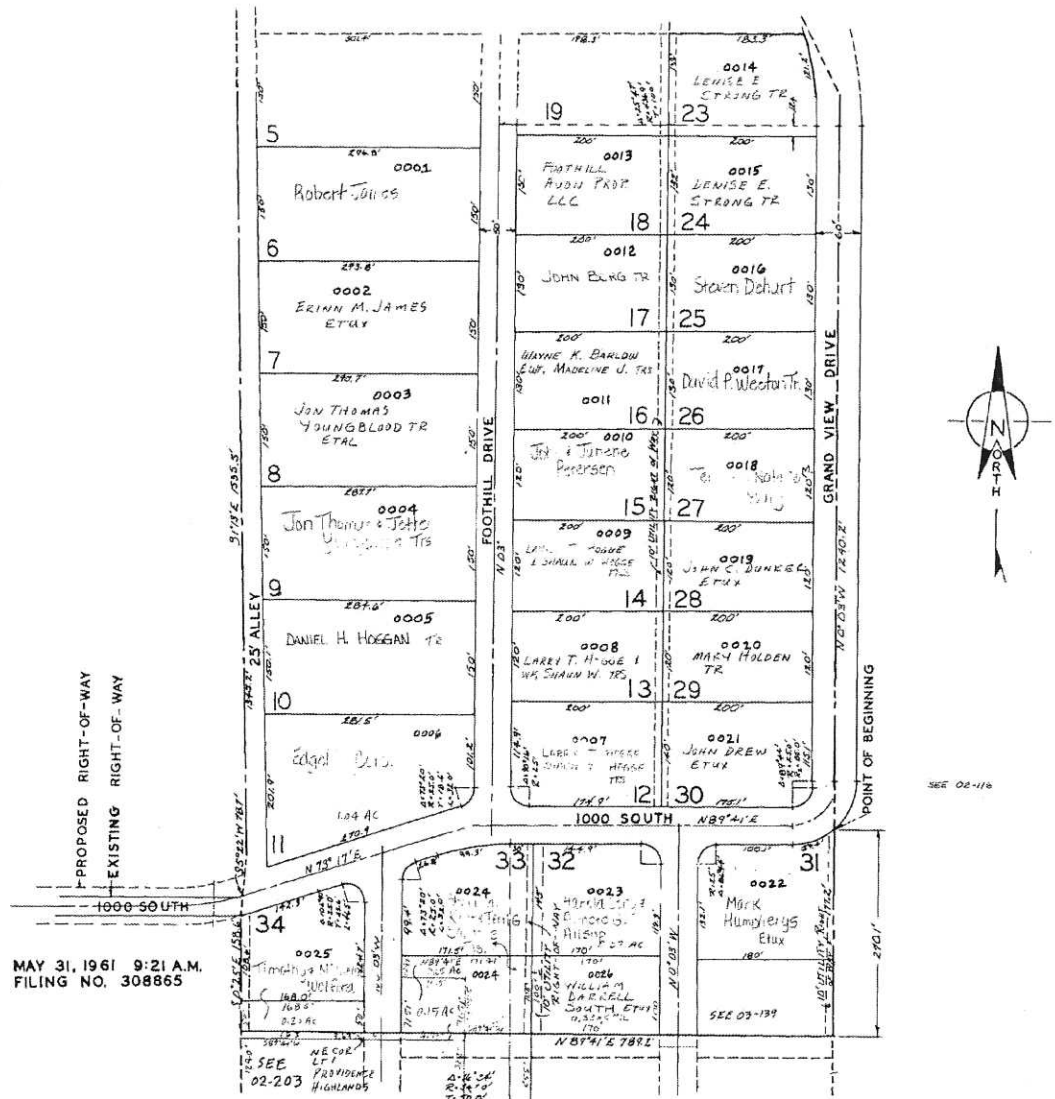
Scale 1 Inch = 100 FT.

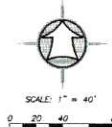
UNIT NO. 1

TAX UNIT 09

03-076

GRAND VIEW HILLS SUBDIVISION





LAINE & SMITH

BEING LOT 6 AND LOT 7 OF UNIT 1, CROWN VIEW HILLS
SUBDIVISION RECORDED UNDER ENTRY #922938 IN THE OFFICE
OF THE CACHE COUNTY RECORDER FURTHER DESCRIBED AS
FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6
 AND THENCE SOUTH 05°07'30" EAST ALONG THE EAST LINE
 OF SAID LOT 6, 148.47 FEET (160.97 BY RECORD) TO THE
 SOUTHEAST CORNER OF SAID LOT 6;
 THENCE SOUTH 05°07'30" EAST ALONG THE EAST LINE OF
 SAID LOT 7, 150.00 FEET TO THE SOUTHEAST CORNER OF SAID
 LOT 7
 THENCE SOUTH 89°14'34" WEST ALONG THE SOUTH LINE OF
 SAID LOT 7, 200.26 FEET (WEST, 293.80 BY RECORD) TO THE
 SOUTHWEST CORNER OF SAID LOT 7
 THENCE NORTH 01°13'00" WEST ALONG THE WEST LINE OF
 LOT 7 AND LOT 6, 300.10 FEET TO THE NORTHWEST CORNER OF
 LOT 6
 THENCE EAST ALONG THE NORTH LINE OF SAID LOT 6,
 206.37 FEET (206.97 BY RECORD) TO THE NORTHEAST CORNER
 OF SAID LOT 6 AND THE POINT OF BEGINNING

CONTAINING 2.02 ACRES ±

SURVEY NARRATIVE

1. THE BASIS OF BEARING FOR THIS SURVEY IS NORTH 01°13' WEST ALONG THE SOUTH LINE OF LOTS 4 AND 9 FROM FOUND MARKERS.

2. THE PURPOSE OF THIS SURVEY IS TO RETRACE THE BOUNDARIES OF LOT 7 AND LOT 8 OF UNIT NO. 1 (GRAND VIEW HILLS SUBDIVISION RECORDED UNDER ENTRY NUMBER 922936 IN THE OFFICE OF THE CACHE COUNTY RECORDERS) OFFER AND COMBINE THEM TO ONE LOT.

3. RETRACEMENT:
THE SOUTH LINE IS RETRACED BY FOUND MARKERS AND
RECORD DISTANCE FROM THE SOUTH ADJOINING PARCEL.
THE WEST LINE IS BY FOUND MARKERS ALONG THE WEST LINE
OF THE SUBDIVISION.
THE NORTH LINE IS RETRACED BY RECORD DISTANCE FROM
FOUND MARKERS FROM THE NORTH ADJOINING PARCEL.
THE EAST LINE IS RETRACED FROM THE WEST SIDE OF
FOOTBALL DRIVE.

4. SET 5/8" REBAR AND CAPS FOR CORNERS AS SHOWN

OWNER/SUBDIVIDER:
ROBERT JAMES
893 FOOTHILL DR.
PROVIDENCE, UT 84332
435 994-1176

<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 2px; margin-right: 5px;">No.</div> <div>REVISION</div> </div>		DATE



Project Title:
GRAND VIEW HILLS, UNIT 1
LOT 5 AND LOT 6
AMENDED

Sheet Title: FINAL PLAT

Drawn by: L. SMITH	Project Number: 08-210	Sheet No. 1
Designed by	Date: 22 APR 2016	
Reviewed by	Sheet Scale: 1" = 40'	
		1 of 1

**GRAND VIEW HILLS,
UNIT 1, LOT 5 AND LOT 6.
AMENDED**

PART OF THE NORTHEAST QUARTER
SECTION 14, TOWNSHIP 11 NORTH, RANGE 1 EAST
OF THE SALT LAKE BASE AND MERIDIAN

LEGEND

- FENCE
- SET MARKER
- FOUND MARKER
- BOUNDARY LINE
- SECTION CORNER
- ADJACENT PROPERTY LINE
- EDGE OF EXISTING IN

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, CHASED THE SAME TO BE CONSIDERED PART OF LOT 5 AND LOT 6, GRAND VIEW HILLS, UNIT 1, LOT 5 AND LOT 6, AMENDED.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR SIGNATURES THIS _____ DAY OF _____ A.D. 20____.

<p>MAYOR APPROVAL</p> <p>APPROVED THIS _____ DAY OF _____ 20____</p> <p>BY THE PROVIDENCE CITY MAYOR _____</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I, CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.</p> <p>PROVIDENCE CITY ENGINEER _____</p>	<p>UTILITY COMPANY APPROVALS</p> <p>EACH OF THE UTILITY COMPANIES BELOW STATE THAT THEY HAVE REVIEWED THE PLAT, FIND THAT THEY APPROVE THE PLAT AS IT RELATES TO THEIR PARTICULAR COMPANY, THAT THEY ARE IN AGREEMENT WITH PLACING ALL THEIR UTILITIES UNDERGROUND WITHIN THE RIGHT-OF-WAY AS SHOWN ON THE PLANS AND ARE WILLING TO PROVIDE THE NEEDED SERVICE FOR THE DEVELOPMENT:</p> <p>CITY UTILITIES WATER AND SEWERAGE DEPARTMENT _____</p> <p>CENTURY LINK REPRESENTATIVE _____</p> <p>ROCKY MOUNTAIN POWER REPRESENTATIVE _____</p> <p>COMCAST CABLE REPRESENTATIVE _____</p> <p>QUESTAR REPRESENTATIVE _____</p>	<p>OWNER'S DEDICATION</p> <p>KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, CHASED THE SAME TO BE CONSIDERED PART OF LOT 5 AND LOT 6, GRAND VIEW HILLS, UNIT 1, LOT 5 AND LOT 6, AMENDED.</p> <p>IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR SIGNATURES THIS _____ DAY OF _____ A.D. 20____.</p>
<p>COUNTY RECORDER'S No. _____</p> <p>STATE OF UTAH, COUNTY OF _____, BEING RECORDED AND FILED AT THE REQUEST OF _____, THIS _____ DAY OF _____ 20____.</p> <p>INDEXED _____ FILED IN _____ COUNTY RECORDER _____</p>	<p>COUNTY SURVEYOR'S CERTIFICATE</p> <p>I, CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.</p> <p>DATE _____ COUNTY SURVEYOR _____</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____.</p> <p>ATTORNEY _____</p>	<p>ACKNOWLEDGMENT</p> <p>STATE OF _____ COUNTY OF _____</p> <p>ON THE _____ DAY OF _____ 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY OF _____, IN SAID STATE OF _____, THE SIGNERS OF THE ATTACHED OWNER'S DECLARATION, _____, IN PERSONS WHO HAVE ACKNOWLEDGED TO ME THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.</p> <p>MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____</p>

PROVIDENCE CITY
Executive Staff Review
Planning Commission Meeting Date: 09/14/2016

Request: Approval of a preliminary plat for Sutherland Subdivision, a partial amendment of Everton Minor Subdivision, subdividing Lot 1

Item Type: Preliminary Plat

Applicant: Casey & Lexie Sutherland

Agent: NA

Prepared by: S Bankhead

General Plan: SFT

Zone: SFT

Parcel ID #: 02-115-0036

Address: 810 S 300 E (approximately)

Acres: 4.95 +/-

Density per acre: 3.75 **Gross:** 0.80 **Net:** 0.80

Number of Properties: 1

Proposed Lots: 4

Staff Report Summary of Key Issues:

1. The applicant submitted the concept plan on 2/25/2016
2. The applicant submitted the preliminary plat on 05/11/2016
3. This property has an irrigation ditch, which has been piped, running through the proposed lots. Discussions were held regarding the relocation of the ditch/pipe. It has been decided that the ditch/pipe will remain in its current location, with improvements required by Spring Creek Water Co. There will be a note on the final plat stating that Providence City is not involved in the sizing of the pipe or maintaining it. The applicant acknowledges that Providence City has no liability for the irrigation ditch/pipe, or responsibility for maintenance.

FINDINGS OF FACT:

1. DRC used Providence City Code 11-3-3 Final Plat to review the application and final plat.
2. DRC used the Providence City Corporation Department of Public Works Standards and Specifications Manual to review the application and final plat.

CONCLUSIONS OF LAW:

1. DRC feels the final plat meets the requirements of Providence City Code 11-3-3 with the following conditions:

CONDITIONS:

1. The legal description needs to be corrected so it will close.
2. The applicant acknowledges that Providence City has no liability for the irrigation ditch/pipe, or responsibility for maintenance.

RECOMMENDATION:

The executive staff has reviewed the request; and recommends that the Planning Commission approve the preliminary plat for the Sutherland Subdivision according to the Findings of Fact, Conditions of Law, and Conclusions listed above.

PROVIDENCE CITY APPLICATION

Please note that each request has a checklist which specifies what information is required in order for your application to be complete and ready for processing. Please check the appropriate box for your type of application. Check only one box. Each application type requires a separate application. If you have questions, please ask.

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED.

Development Review Committee, and/or Planning Commission, and/or City Council			
Annexation	Final Plat	Rezone	
Code Amendment	General Plan Amendment	Right-of-way Vacation	
Concept Plan	Preliminary Plat	Site Plan	
Conditional Use			
Board of Adjustment			
Appeal	Expansion of Nonconforming Use	Special Exception	Variance

PLEASE NOTE: FILING FEES DO NOT INCLUDE PROFESSIONAL FIRM FEES.

THESE WILL BE BILLED SEPARATELY.

Applicant's Name: <u>CARL SUTHERLAND & LENE SUTHERLAND</u>	
Address: <u>815 S 400E, PROVIDENCE</u>	
Phone(s): <u>781-7443</u>	E-Mail: <u>CSuth07@GMAIL.COM</u>

Party Responsible for Payment: <u>SAME AS ABOVE</u>	
Billing Address: <u>SAME AS ABOVE</u>	
Phone(s):	E-Mail:

Property Owner's Name (how it appears on a legal document): <u>RICHARD SINGLETON</u>	
Address: <u>815 S. 400E, PROVIDENCE</u>	
Phone(s): <u>881-3209</u>	E-Mail:

Architect/Engineer/Surveyor's Name: <u>STEVE, CACHE LANDMARK</u>	
Address:	
Phone(s): <u>7130099</u>	E-Mail:

Cache County Property Number(s):	
Total Acreage:	Project Name: <u>SUTHERLAND SUBDIVISION</u>
City Address of Project (if applicable): <u>810S 300E, PROVIDENCE</u>	

I declare under penalty of perjury that I am the owner or authorized agent for the property which is the subject of application, and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.

Signature of Applicant: [Signature]

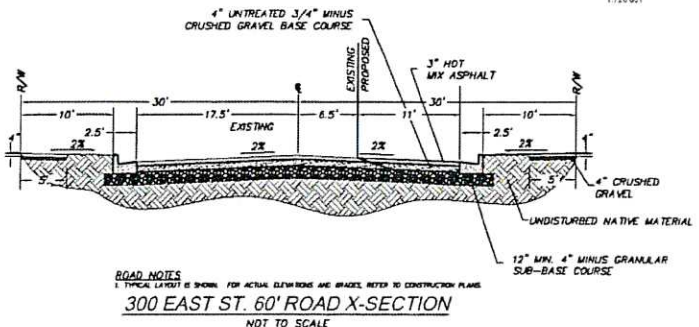
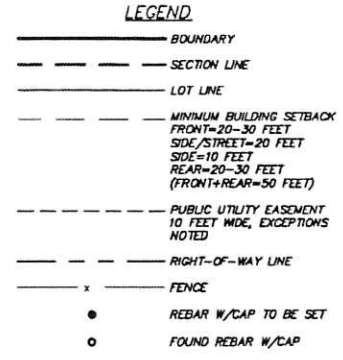
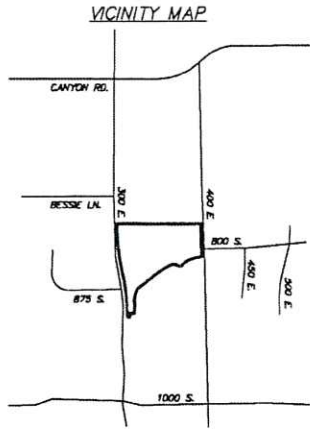
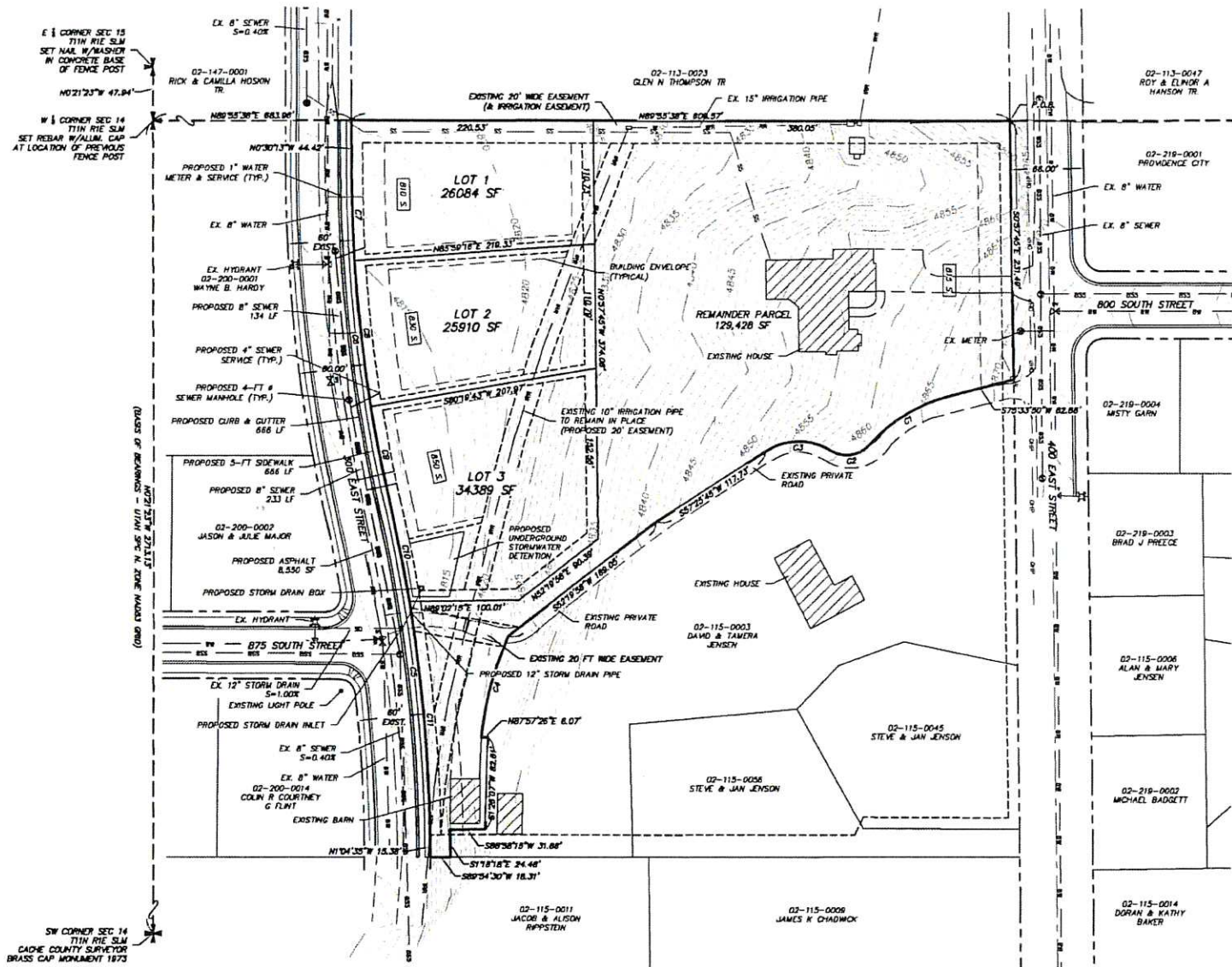
Date: 5-11-16

Do not complete below this line, for office use only.

Application Fee:
General Plan:
Zone:
Receipt Number:
Received By:
Date Stamp:

MAY 11 2016 17:33

PRELIMINARY PLAT
SUTHERLAND SUBDIVISION
A PARTIAL AMENDMENT OF EVERTON MINOR SUBDIVISION
SUBDIVIDING LOT 1
PART OF THE SW 1/4 OF SEC 14, T11N, R1E, SLM
PROVIDENCE CITY, CACHE COUNTY, UTAH



- PRELIMINARY PLAT NOTES
1. THIS SUBDIVISION IS A PARTIAL AMENDMENT TO THE EVERTON MINOR SUBDIVISION, SUBDIVIDING LOT 1.
 2. THERE ARE NO SENSITIVE AREAS IN THIS SUBDIVISION. SLOPES WITHIN LOTS 1 THRU 3 ARE LESS THAN 20%. THERE ARE SMALL AREAS WITHIN THE REMAINDER PARCEL, NORTH OF THE EXISTING HOUSE, THAT HAVE SLOPES BETWEEN 20% AND 30%, BUT FOR A HORIZONTAL DISTANCE OF LESS THAN 50 FEET.
 3. PROPOSED CURB, GUTTER, AND SIDEWALK AND SHOWN ALONG 300 EAST STREET.
 4. THE IRRIGATION PIPE RUNNING THROUGH THE PROPERTY IS EXISTING. IT IS INTENDED TO LEAVE THIS PIPE IN PLACE. A 20-FT WIDE EASEMENT SHALL BE GIVEN TO THE IRRIGATION COMPANY ALONG THIS PIPE'S ALIGNMENT. ALSO, THERE IS AN EXISTING EARTH BERM ON TOP OF THE EXISTING PIPE THAT DIVERTS STORMWATER RUNOFF TO THE SOUTH. THIS BERM IS PROPOSED TO BE RAISED 1 FOOT TO ENHANCE ITS ABILITY TO DIVERT STORMWATER. FURTHERMORE, IT IS PROPOSED TO INSTALL A NEW CLEANOUT IN THE IRRIGATION PIPE NEAR THE SOUTH BOUNDARY OF PROPOSED LOT 3.
 5. AN UNDERGROUND STORMWATER DETENTION BASIN IS PROPOSED ON LOT 3 AS SHOWN. IT IS INTENDED THAT ALL NEW BUILDINGS TO BE CONSTRUCTED SHALL HAVE POSITIVE DRAINAGE AWAY FROM SAID BUILDINGS FOR A DISTANCE OF AT LEAST 10 FEET ON ALL SIDES OF EACH BUILDING.
 6. THERE ARE NO KNOWN WELLS OR SPRINGS WITHIN 100 FEET OF THE PROPOSED DEVELOPMENT.
 7. ALL LOTS HAVE AN ADEQUATE BUILDING ENVELOPE WITH REGARDS TO HAZARDOUS SLOPE, BUILDING, WATER, AND ZONING SETBACKS.
 8. THERE IS NO PROPOSED COMMON OPEN SPACE FOR THIS DEVELOPMENT.

CURVE TABLE					
CURVE	LENGTH	RADIUS	Δ	CH. BEARING	CHORD
C1	84.57'	145.00'	33°25'08"	S58°51'16"W	83.38'
C2	38.81'	28.00'	79°24'35"	S81°50'39"W	35.77'
C3	61.56'	55.00'	64°07'32"	S89°29'31"W	58.39'
C4	94.08'	279.08'	19°18'53"	S14°54'07"W	62.63'
C5	303.18'	1393.57'	12°27'55"	N71°18'33"W	303.59'
C6	303.81'	1329.80'	13°02'18"	N70°12'11"W	301.06'
C7	81.43'	1329.80'	3°30'31"	S21°52'28"E	81.42'
C8	131.35'	1329.80'	5°39'34"	S6°50'31"E	131.30'
C9	89.83'	1329.80'	3°52'13"	S11°36'24"E	89.81'
C10	88.41'	1393.57'	3°38'05"	S11°43'28"E	88.39'
C11	214.78'	1393.57'	8°49'50"	S5°26'30"E	214.57'

SURVEY CERTIFICATE

I, STEVEN C. EARL, A REGISTERED LAND SURVEYOR, HOLD CERTIFICATE NO. 318575-2201, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT, WHICH IS ACCURATELY DESCRIBED THEREWITH, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS TO BE HEREINAFTER KNOWN AS SUTHERLAND SUBDIVISION, AND THAT THE SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.



LEGAL DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN; ALSO LOT 1 OF AN ALTERATION OF EVERTON MINOR SUBDIVISION, RECORDED AS ENTRY NUMBER 974780, LOCATED IN THE CITY OF PROVIDENCE, COUNTY OF CACHE, STATE OF UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE N02°12'23"W 2713.13 FEET TO THE WEST QUARTER CORNER OF SAID SECTION; THENCE N89°55'38"E 1284.53 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE BOUNDARY OF SAID LOT THE FOLLOWING EIGHTEEN COURSES:

1. S05°74'45"E 231.49 FEET;
2. S75°33'50"W 62.66 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 145.00 FEET AND A LONG CHORD OF 83.38 FEET BEARING S58°51'16"W;
3. SOUTHWESTERLY 84.57 FEET ALONG SAID CURVE TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 28.00 FEET AND A LONG CHORD OF 35.77 FEET BEARING S81°50'39"W;
4. WESTERLY 38.81 FEET ALONG SAID CURVE TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 55.00 FEET AND A LONG CHORD OF 58.39 FEET BEARING S89°29'31"W;
5. WESTERLY 61.56 FEET ALONG SAID CURVE;
6. S57°25'45"W 117.73 FEET;
7. S52°18'58"W 189.05 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 279.08 FEET AND A LONG CHORD OF 93.63 FEET BEARING S14°54'07"W;
8. SOUTHWESTERLY 94.08 FEET ALONG SAID CURVE;
9. N87°57'26"E 6.07 FEET;
10. S12°07'27"W 82.61 FEET;
11. S68°58'15"W 31.66 FEET;
12. S11°18'18"E 24.46 FEET;
13. S89°54'30"W 18.31 FEET;
14. N11°04'35"W 15.38 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 1393.57 FEET AND A LONG CHORD OF 302.59 FEET BEARING N71°18'33"W;
15. NORTHERLY 303.18 FEET ALONG SAID CURVE TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 1329.80 FEET AND A LONG CHORD OF 301.96 FEET BEARING N70°12'11"W;
16. NORTHERLY 302.61 FEET ALONG SAID CURVE;
17. N03°10'13"W 44.42 FEET;
18. N89°55'38"E 600.57 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.95 ACRES, MORE OR LESS.

CERTIFICATES

I, RICHARD J. SINGLETON, AM THE OWNER OF THE SUBJECT PROPERTY AND HAVE CLEAR TITLE TO THIS PROPERTY. THERE ARE NO UNRECORDED CONTRACTS OR AGREEMENTS ASSOCIATED WITH THE PROPERTY.

RICHARD J. SINGLETON

OWNER / DEVELOPER
RICHARD J. & CARRIE L. SINGLETON
C/O LEXIE SUTHERLAND
815 S 400 E
PROVIDENCE, UT 84332
(435) 881-3209
cauth007@gmail.com

SURVEYOR
CACHE-LANDMARK ENGINEERING
ATTN: STEVEN EARL, PE, PLS
1011 W 400 N STE 130
LOGAN, UT 84321
(435) 713-0099
searl@cochelandmark.com

S14 T11N R1E SLM

PRELIMINARY PLAT

SUTHERLAND SUBDIVISION
830 S. 300 E.
PROVIDENCE, UT



Cache Landmark
Engineers
Surveyors
Planners
1011 West 400 North
Suite 130
Logan, UT 84321
435.713.0099

DATE
19 APRIL 2016
SCALE
1" = 60'
CALCULATED BY
S. EARL
CHECKED BY
S. CROCKSTON
APPROVED BY
S. EARL
PROJ. #
150845TH

1 / 1



August 12, 2016

At this time the Sutherland/Singleton 3 lot subdivision moves forward in an effort to seek the approval from Providence City. It has been brought to our attention that Providence City has unanimously made the decision to withdraw all involvement regarding the irrigation ditch that runs through lots 1, 2, and 3 near 830 S 300 E.

We acknowledge that there is currently no city ordinance that would require the subdivider to have this irrigation ditch to be relocated or maintained. Additionally, this was also mentioned by Mayor Calderwood that there is nothing that requires the subdivider to move the irrigation ditch.

However, we are considering the possibility to relocate the irrigation ditch in accordance with the Spring Creek Water Company standards and specifications based on the following conditions: 1) as long as they fulfill their agreement in contributing financial assistance, which has been previously stated by the SCWC President, Brent Speth and 2) it is financially possible for the subdividers to do so.

This letter also clarifies the subdivider will follow Providence City Ordinance 11-4-7 in so much as it pertains to and meets the requirements. We also acknowledge that Providence City has no liability for the irrigation ditch/pine, or responsibility for maintenance. We agree that we have resolved all concerns over liability and maintenance with the Spring Creek Water Company and any other individuals with ownership interests in the irrigation ditch/pipe.

Casey Sutherland

Lexie Sutherland

Richard Singleton

Carrie Singleton

Aug. 23, 2016

To Rex Spendlove et al,

This is to inform you of our intent to develop lots on the west side of our property at 815 S 400 E in Providence. These lots will have the irrigation ditch/pipe running through them. We will not be relocating the irrigation ditch so there should be no effect on the water running through it. All utilities will be coming from 300 East so there will be no construction on the ditch other than covering it with more dirt to protect it from flood or other harm. Thank you.

Richard Singleton

SPENDLOVE ENTERPRISES ALLOWS PERMISSION
FOR THE SPRING CREEK WATER COMPANY
TO USE THE IRRIGATION DITCH ON THE
PROPERTY FOR THE 3 LOT SUBDIVISION TO
BE APPROVED, TO INSTALL CLEANOUTS TO MEET
THE SCWC SPECIFICATIONS

Rex Spendlove

PROVIDENCE CITY
Executive Staff Report
Review Date: 7/27/2016

Request: Rezone a 77.5 acre parcel from Agricultural (AGR) to Single-Family Traditional

Item Type: Rezone	Applicant: Stan Checketts	Owner: Stan Checketts
Prepared by: S Bankhead	General Plan: SFT	Zone: AGR
Parcel ID #: 02-005-0005 Address: approx. 500 N. 600 East	Acres: 77.5	Number of Properties: 1

Staff Report Summary of Key Issues:

1. Stan Checketts is requesting the rezone for the purpose of developing lots.
2. Legal Description: BEG AT SW COR OF SE/4 SEC 2 T 11N R 1E E 160 RDS N 80 RDS W 146 RDS 10 FT TO E BANK OF CANAL SLY ALG MEANDERINGS OF SD CANAL TO PT 643 FT N OF BEG S 643 FT TO BEG CONT 77.5 AC

Background Information:

1. The application was received 07/20/2016
2. Providence City Master Plan Sheet 5-C Zone Districts of Future Annexations shows this area as a SFT zone.
Providence City Master Plan 1 December 2000 - Zoning Master Plan Directive states:
The major goal of master plan zoning is to propose the direction in which the remaining areas of the city should develop. The city has accepted its responsibility for affordable housing by upgrading the use chard to include higher density zones. These zones should generally be on the perimeter of the city with good access to major roads without going through the core of the city. Zoning limits the number of houses per acre and allows for flexible development concepts.
No building construction should be considered above the deer fence.
3. Providence City General Plan – Residential Development (January 2007) Master Plan Directive states:
East Bench Development – Is an area where fairly recent residential development has taken place. Generally, the subdivision within this area is identified as an area of very high end single family housing development.
4. Single-Family Traditional requirements are as follows: 12,000 sq. ft. minimum lot size; 95 ft. minimum lot width (measured at the setback line); a maximum of 3.75 units per acre (excluding right-of-way (ROW), infrastructure - Infrastructure is defined to include rights-of-way, PUB and REC districts within development)

FINDINGS OF FACT:

1. Providence City Code (PCC) 10-1-5:A. states changes and amendments to this Zoning Title shall be done in accordance with state law.
2. UCA § 10-9a-505(1)(a) The legislative body may divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of this chapter.
3. UCA § 10-9a-505(3)(a) There is no minimum area or diversity of ownership requirement for a zone designation. (b) Neither the size of a zoning district nor the number of landowners within the district may be used as evidence of the illegality of a zoning district or of the invalidity of a municipal decision.
4. UCA § 10-9a-102 Purposes -- General land use authority.
(1) The purposes of this chapter are to provide for the health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of each municipality and its present and future inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster the state's agricultural and other industries, to protect

both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values.

(2) To accomplish the purposes of this chapter, municipalities may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, fundamental fairness in land use regulation, considerations of surrounding land uses and the balance of the foregoing purposes with a landowner's private property interests, height and location of vegetation, trees, and landscaping, unless expressly prohibited by law.

5. UCA § 10-9a-501 states the legislative body may enact land use ordinances and a zoning map consistent with the purposes set forth in in this chapter.
6. UCA § 10-9a-502 Requires the planning commission provide notice and hold a public hearing on a proposed land use ordinance or zoning map; and prepare and recommend to the legislative body a proposed land use ordinance and zoning map that represent the planning commission's recommendation.
7. UCA 10-9a-503.(1) The legislative body may amend: (b) any regulation of or within the zoning district; or (c) any other provision of a land use ordinance.
8. Providence City Master Plan 1December 2000 – Zoning Master Plan Directive
9. Providence City Master Plan Sheet 5-B Future Re-Zone of Existing Districts
10. Providence City Master Plan Sheet 5-C Zone Districts of Future Annexations

CONCLUSIONS OF LAW:

1. The proposed code amendment has been processed consistent with the above Findings of Fact.
2. Executive Staff feels changing the AGR zone to SFT zone is consistent with the City's Master Plan.

CONDITIONS:

1. The Applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, and ordinances.
2. The application will process will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, and ordinances; including but not limited to: the Planning Commission scheduling and holding a public hearing prior to making a recommendation to the City Council.

RECOMMENDATION:

That the Providence City Planning Commission schedule a public hearing as required by UCA 10-9a-502.

PROVIDENCE CITY LAND USE APPLICATION

15 South Main * Providence UT 84332

435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

Please note that each request has a checklist which specifies what information is required in order for your application to be complete and ready for processing. Please check the appropriate box for your type of application. Check only one box. Each application type requires a separate application. If you have questions, please ask.

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED.

Development Review Committee, and/or Planning Commission, and/or City Council		
Annexation	Exception to Title	<u>Rezone</u>
Code Amendment	Final Plat	Right-of-way Vacation
Concept Plan	General Plan Amendment	Site Plan
Conditional Use	Preliminary Plat	
Appeal Authority		
Appeal		Variance

**PLEASE NOTE: FILING FEES DO NOT INCLUDE PROFESSIONAL FIRM FEES.
THESE WILL BE BILLED SEPARATELY.**

Applicant's Name: <u>STAN CHECKETTS</u>	
Address: <u>PO BOX 55 PROVIDENCE, UT 84332</u>	
Phone(s): <u>435.757.4282</u>	Fax: E-Mail:

Party Responsible for Payment: <u>STAN CHECKETTS</u>	
Billing Address: <u>PO BOX 55 PROVIDENCE, UT 84332</u>	
Phone(s): <u>435.757.4282</u>	Fax: E-Mail:

Property Owner's Name (how it appears on a legal document): <u>STAN CHECKETTS PROPERTIES LC</u>	
Address: <u>SAME AS ABOVE</u>	
Phone(s):	Fax: E-Mail:

Architect/Engineer/Surveyor's Name: <u>CIVIL SOLUTIONS GROUP</u>	
Address: <u>540 W. GOLF COURSE RD SUITE B1 PROVIDENCE UT 84332</u>	
Phone(s): <u>435.213.3762</u>	Fax: E-Mail: <u>danny@civilsolutionsgroup.net</u>

Cache County Property Number(s): <u>02-005-0005</u>	
Total Acreage: <u>71.50</u>	Project Name: <u>N/A</u>
City Address of Project (if applicable): <u>500 NORTH 600 EAST</u>	

I declare under penalty of perjury that I am the owner or authorized agent for the property which is the subject of application, and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.

Signature of Applicant: [Signature]

Date: 7/19/2014

Do not complete below this line, for office use only.

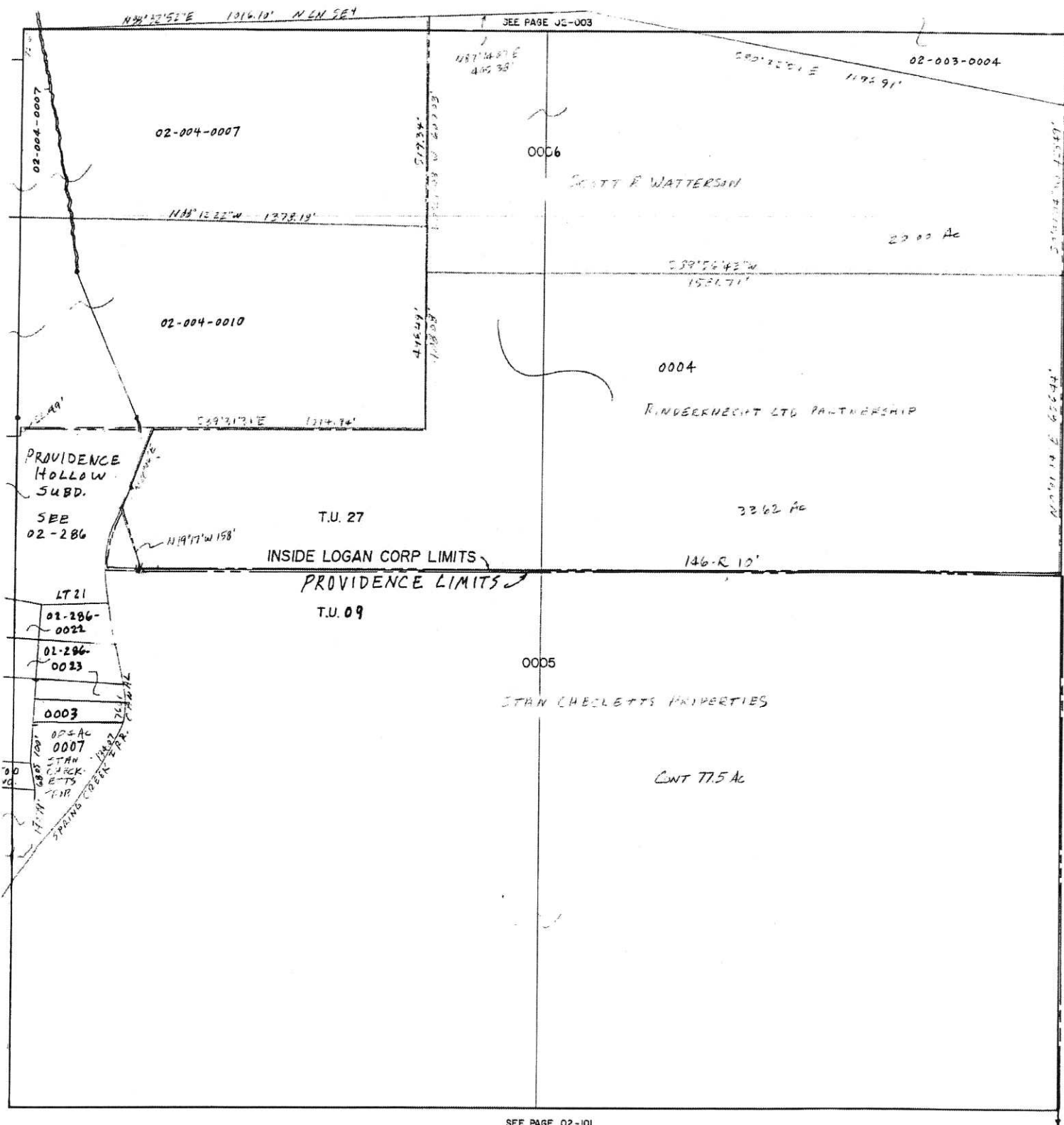
Application Fee:
General Plan:
Zone:

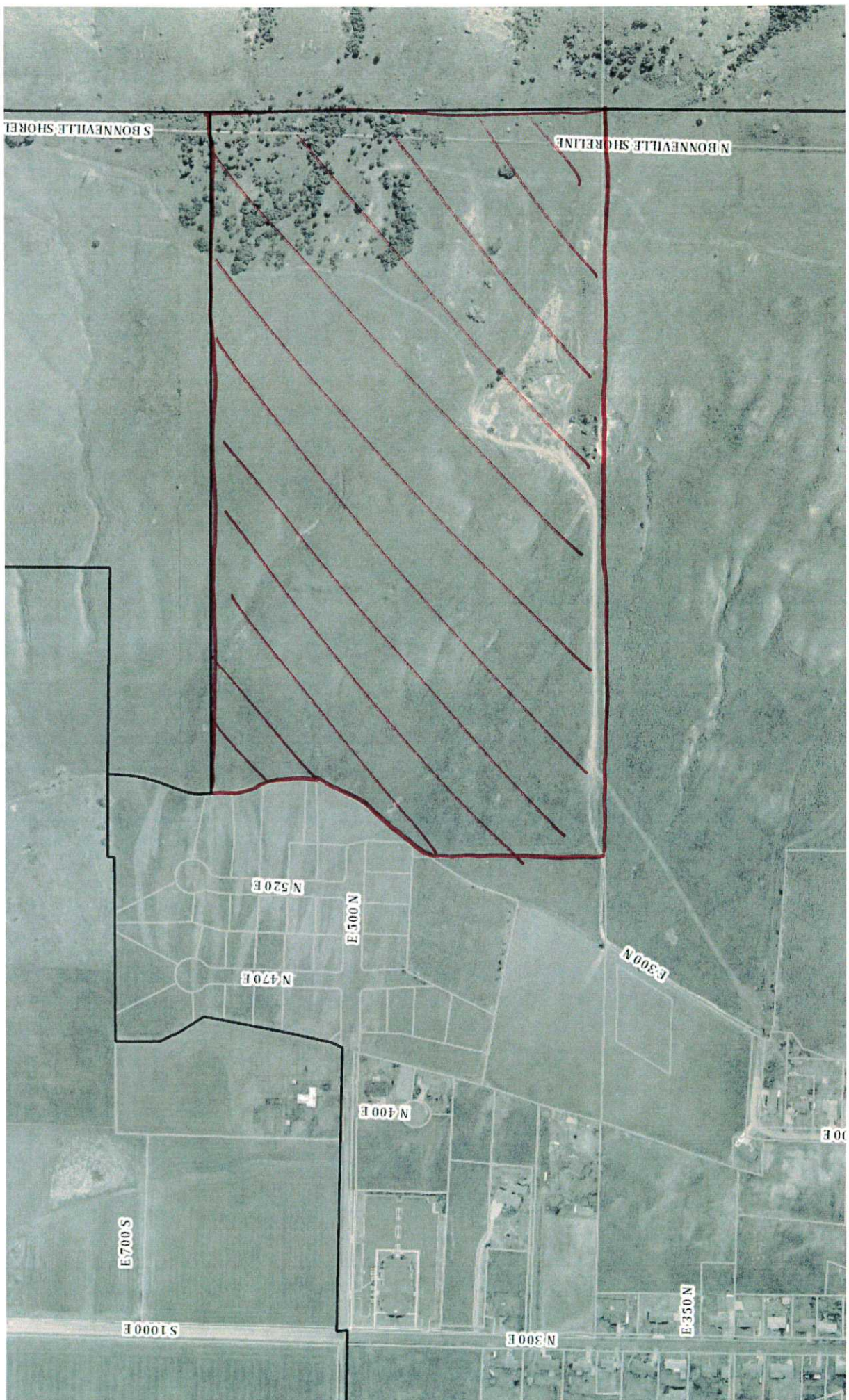
Receipt Number:
Received By:
Date Stamp:

-4 Section 2 Township 11 North Range 1 East

Scale 1 Inch = 200 Feet

TAX UNIT 28,2





Owner Written Statement:

I Stan Checketts grant permission for the rezone of parcel 02-005-0005 containing 77.50 acres more or less.

Stan Checketts



Purpose for Rezone:

The purpose of the rezone request is to rezone the parcel from Agriculture to SFT for the purpose of developing lots.

Legal Description:

BEG AT SW COR OF SE/4 SEC 2 T 11N R 1E E 160 RDS N 80 RDS W 146 RDS 10 FT TO E BANK OF CANAL SLY ALG MEANDERINGS OF SD CANAL TO PT 643 FT N OF BEG S 643 FT TO BEG CONT 77.5 AC

Affected Entities and Property Owners of Land to be Rezoned:

Stan Checketts Properties LC (Parcel 02-005-0005)
PO Box 55
Providence, UT 84332

Adjacent Property Owners:

Owner Name JAY TR RINDERKNECHT
Owner Address PO BOX 11
Owner City State Zip PARADISE, UT 84328-0011

Owner Name RINDERKNECHT LTD PARTNERSHIP
Owner Address PO BOX 488
Owner City State Zip PROVIDENCE, UT 84332-0488

Owner Name SCOTT R WATTERSON
Owner Address 560 S 1000 E
Owner City State Zip LOGAN, UT 84321

Owner Name NATHAN & EMILY PETERSON
Owner Address 862 STONE CREEK DR
Owner City State Zip RIVER HEIGHTS, UT 84321

Owner Name CREE S & GENE R TRS SPAULDING
Owner Address 542 N 520 E
Owner City State Zip PROVIDENCE, UT 84332

Owner Name BARBARA M TRUSTEE RINDERKNECHT
Owner Address PO BOX 488
Owner City State Zip PROVIDENCE, UT 84332-0488

As a result of recent discussions during Planning Commission meetings, staff was asked to look at the impact of 1-acre lots in regards to supply and demand and water use.

Availability:

As per UtahRealEstate.com – Brief Report – Land, 26 parcels, ranging from 0.75-acre to 1.5-acre, were listed throughout Cache County. Of the 26 parcels, 16 were open as of September 7, 2016 and 13 had been sold as of September 7, 2016. The highest list price was \$149,000 for 2365 Heritage Dr, Nibley; the lowest list price was \$64,900 for 467 N 1200 W, Logan. The highest sold price was \$138,000 for 2365 Heritage Dr, Nibley; the lowest sold price was \$65,000 for 1156 N Circle View Drive, Logan. 259 S 300 East, Providence sold for \$133,000. The attached reports were provided by Kent Dunkley.

City	Units	Open	Sold
Hyde Park	2	1	1
Hyrum	4	3	1
Logan	6	3	3
Mendon	1	1	0
Millville	1	1	0
Nibley	4	1	3
North Logan	4	3	1
Paradise	3	0	3
Petersboro	1	1	0
Providence	1	0	1
Richmond	1	1	0
Wellsville	1	1	0
Total	29	16	13

Using the meter readings taken in July 2016, the following are the average use of approximately 100 homes in each category. The lot sizes have a 10% +/- variation, ie: 1 acre includes 0.90 to 1.10 acres.

Lot Size	Gallons used
1 acre	107,208
12,000 sq ft	60,720
6,000 sq ft	33,300

Information for accessory building discussion.

Definition from Providence City Code (PCC) 10-1-4

ACCESSORY BUILDING:	A subordinate building, detached, and used for a purpose customarily incidental to the main structure on a lot, such as a private garage, offices, storage or repair facilities, etc. An accessory building may be constructed simultaneously with, but not prior to the main building.
ACCESSORY BUILDING (SMALL)	A small subordinate building, detached, and used for a purpose customarily incidental to the main structure on a lot, such as: storage. An accessory building (small) may be constructed simultaneously with, but not prior to the main building. An accessory building is considered small if: <ol style="list-style-type: none"> 1. Does not require a building permit; and 2. It is less than 200 square feet; and 3. Does not have plumbing or electrical features.

Zoning from PCC 10-8-1

	AGR	SFE	SFL	SFT	SFR	SFM	SFH	SMH
Min. lot area, square feet	5 ac	1 ac	20,500	12,000	10,000	8,000	6,000	5,000
Min. lot width (measured at setback line)	150	120	100	95	80	70	60	50
Min. lot area increase ea. add'l unit, square feet	5 ac	1 ac	No add'l units	No add'l units	2,000	4,000		
Max. unites / ac excluding ROW, infrastructure^	0.2	1	2.13	3.75	4.5	5.5	5.5	8.5
Max. lot area per ea. twin home, square feet^^					6,000	6,000		
Min. lot width, each unit (measured at setback line)					47.5'	47.5'		
Setbacks								
Principal uses								
Front yard, ft.	25	^^^	^^^	^^^	^^^	25	20	20
Side yard, interior	25	20	10	10	10*	10	5###	5###
Side yard, Street (OM 33-2004)	25	20	20	20	20	20	15	15
Rear yard	25	^^^	^^^	^^^	^^^	20	20	10
Detached Accessory Uses								
Front yard, ft.	25	30	30	30	30	25	25	20
Side yard, interior	10	5	5	5	5	5	5	5
Side yard, street	20	20	20	20	20	20	20	20
Rear yard	10	5	5	5	5	5	5	5
Detached Accessory Building (Small)								
Front yard, ft.	25	30	30	30	30	25	25	20
Side yard, interior	MUST be placed in such a manner that runoff from the roof does not spill onto adjacent property.							
Side yard, street	20	20	20	20	20	20	20	20
Rear yard	MUST be placed in such a manner that runoff from the roof does not spill onto adjacent property.							
Distance between residential structures on same lot	20	10		10				
Height								
Principal Use, Max. hgt. ft.	35	35	35	35	35	35	35	35
Principal Use, ft. min.	10	10	10	10	10	10	10	10
Accessory Use, ft. max.	35	35	35	35	35	35	35	35
Accessory Bldg (Small)	15	15	15	15	15	15	15	15
Fences – non-game (max. height)								
Front yard, ft.	4	4	4	4	4	4	4	4
Side yard, interior	8	6	6	6	6	6	6	8

	AGR	SFE	SFL	SFT	SFR	SFM	SFH	SMH
Side yard, street	6^	6^	6^	6^	6^	6^	6^	6^
Rear yard	8	6	6	6	6	6	6	8
Fences – game								
Front yard, ft.	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
Side yard, interior	8	8	8	8	8	8	8	8
Side yard, street	8^	8^	8^	8^	8^	8^	8^	8^
Rear yard	8	8	8	8	8	8	8	8

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